

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (RCC) ECF Case
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This document relates to:
Federal Insurance Co. v. al Qaida, 03 CV 06978 (RCC)

**PLAINTIFFS' SUPPLEMENTAL PLEADING IDENTIFYING
ADDITIONAL PLAINTIFFS PURSUANT TO F.R.C.P. 15(d)
AND PARAGRAPH 12 OF CASE MANAGEMENT ORDER NO. 2**

The above-captioned plaintiffs, by and through their attorneys, Cozen O'Connor, hereby supplement their First Amended Complaint identifying additional plaintiffs pursuant to Federal Rule of Civil Procedure 15(d) and Paragraph 12 of Case Management Order No. 2, and do hereby allege the following:

1. Additional plaintiffs, AXA Corporate Solutions Assurance, AXA Corporate Solutions Insurance Company, AXA Corporate Solutions Assurance UK Branch, AXA RE Asia Pacific Pte. Limited, AXA RE, AXA RE Canadian Branch, AXA RE UK Plc., AXA Liabilities Managers, Inc. (US), AXA RE America, AXA Corporate Solutions Reinsurance Company, AXA RE America Insurance Company (formerly USF Insurance Company), AXA RE P&C Insurance Company (formerly John Hancock Property & Casualty Insurance Company), AXA Art Insurance Corporation, SPS Re, SF Madeira and CGRM (hereinafter referred to collectively as "AXA") are corporations organized and domiciled under the laws of a nation other than the United States, and/or under the laws of a state within the United States. At

all times material hereto, additional plaintiff AXA was engaged in the business of issuing policies of insurance.

2. At the time of the September 11th Attack, additional plaintiff AXA provided insurance coverage to the corporations, companies, partnerships, affiliations, persons, trusts and other parties identified in Exhibit JJJJ¹ hereto, relative to property and/or business interests located at the corresponding address identified in Exhibit JJJJ hereto. In accordance with the terms of the applicable policies of insurance, additional plaintiff AXA has made payments to the insureds identified in Exhibit JJJJ hereto, as is set forth in greater detail in Exhibit JJJJ hereto, and expects that it will make additional payments in the future, in compensation for damages resulting from the September 11th Attack. By virtue of its payments to its insureds, additional plaintiff AXA is subrogated to its insureds' rights of recovery against any responsible third parties.

3. At the time of the September 11th Attack, additional plaintiff AXA provided reinsurance coverage to the insurance companies, reinsurance companies, corporations and entities identified in Exhibit JJJJ hereto (the "Cedants"), relative to primary policies of insurance issued to the corporations, companies, partnerships, affiliations, persons, trusts and other parties identified in Exhibit JJJJ hereto (the "Insureds"), which primary policies provided insurance coverage for the property and/or business interests located at the corresponding addresses identified in Exhibit JJJJ hereto, all of which are hereby incorporated by reference. In accordance with the terms of the applicable policies of reinsurance, additional plaintiff AXA has made payments to its Cedants identified in Exhibit JJJJ hereto, as is set forth in greater detail in Exhibit JJJJ hereto, and expects that it may make additional payments in the future in relation to claims arising from the September 11th Attack. By virtue of its payments to its Cedants and

¹ Exhibit JJJJ is expressly incorporated herein by reference.

corresponding payments to the Insureds, and pursuant to the terms and conditions of the subject insurance policies and legal and equitable principles, additional plaintiff AXA is subrogated to the rights of recovery of its Cedants and Insureds against any responsible third parties.

Respectfully submitted,

COZEN O'CONNOR

By: _____ /s/
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**THE EXHIBITS APPENDED TO PLAINTIFFS' SUPPLEMENTAL PLEADING
HAVE BEEN FILED UNDER SEAL PURSUANT TO AN ORDER ISSUED BY
THE HONORABLE RICHARD C. CASEY ON SEPTEMBER 9, 2004.**

**JUDGE CASEY, WHO IS PRESIDING OVER THE RELATED CASES
COMPRISING THE MULTIDISTRICT LITIGATION PENDING UNDER DOCKET
NUMBER 03 MDL 1570, GRANTED COZEN O'CONNOR'S WRITTEN
APPLICATION TO FILE UNDER SEAL THE INSURANCE SCHEDULES FOR THE
FEDERAL PLAINTIFFS.**